

NANCY PLUNK,

Plaintiff,

v.

SHELTER MUTUAL INSURANCE
COMPANY, JOHN PRICE,
VCE, INC., and JASON PIRTLE,

Defendants.

COMES NOW, Defendant, VCE, Inc. (hereafter: “Defendant”), by and through undersigned counsel, and pursuant to *Fed. R. Civ. P.* 6(b)(1) respectfully requests additional time, through and including Monday, February 21, 2022, to respond to the Complaint. Defendant would show good cause exists for the relief requested pursuant to the following:

1. This matter was original filed in the Circuit Court of Madison County, Tennessee on or about **March 7, 2023**. Defendant VCE was served with copies of the Summons and *Complaint for Umpire and Breach of Contract* on or about **March 20, 2023**. VCE's Co-Defendant, Shelter Mutual Insurance, removed the matter to the United States District Court for the Western District of Tennessee on or about **April 13, 2023**.

2. Defendant VCE is of the present understanding that it must file a responsive pleading to the Complaint on or before **April 20, 2023**.

3. The undersigned counsel was retained to defend VCE, Inc. on or about **April 10, 2023**. As evidenced by the numerous allegations set forth in Plaintiff's Complaint and

approximately 120 pages of documents affixed to same as exhibits, the undersigned will require additional time in which to investigate the merit of Plaintiff's allegations and to prepare a thorough and accurate response to same. Moreover, the undersigned's existing caseload must be addressed during the timeframe currently provided for the filing of VCE's responsive pleading. Stated another way, Defendant contends the existing deadline to file its responsive pleading unnecessarily shortens the undersigned's ability to investigate the facts of this case and to then likewise prepare a sufficiently thorough response or motion to same.

4. Good cause exists to warrant the extension requested herein. This is Defendant's *first* request for an extension, and is not brought for dilatory purposes. A case management conference has not yet been ordered by the court, and no trial setting or other deadlines have been set in this matter. No party will be prejudiced should the court ultimately determine to grant this motion and the relief requested herein.

5. By requesting this extension, Defendant specifically reserves the right to assert and invoke each of its affirmative defenses, including those available under *Fed. R. Civ. P.* 8(b), as well as any applicable Motion to Dismiss as provided by *Fed. R. Civ. P.* (b) as provided by rule.

6. **Defendant anticipates this motion will be unopposed by counsel of record in the matter, and likewise expects to provide the Court with a proposed order granting the relief herein.**

7. Defendant respectfully requests this Honorable Court enter its order permitting VCE, Inc. an additional thirty (30) days in which to file its responsive pleading in this matter, effectively requiring same be filed **on or before May 19, 2023**. This request is made in good faith and believes good cause is shown in support of same.

WHEREFORE, PREMISES CONSIDERED, Defendant prays this Honorable Court find good cause exists to award Defendant VCE, Inc. an additional thirty (30) days in which to file its responsive pleading in this matter, and enter its order providing VCE, Inc. until and including May 19, 2023 to file its responsive pleading in this litigation.

DATED: APRIL 17, 2023.

Respectfully submitted,



By: /s/ Matthew Lee Harris

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing *Motion for Additional Time* has been served by electronic mail and US Mail on:

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*Attorney for Shelter Mutual Insurance
Company and John Price*

I hereby certify that a true and exact copy of the foregoing *Motion for Additional Time* has been served by US Mail on:

Jason Pirtle
2604 Foster Avenue
Nashville, TN 37210

on this 17th day of April, 2023.

/s/ Matthew Lee Harris
Matthew Lee Harris (#030176)